



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 24 2013

OFFICE OF WATER

Ms. Emily Jeffers
Center for Biological Diversity
Suite 600
351 California St.
San Francisco, CA 94104

RE: Freedom of Information Act Request EPA-HQ-2014-001474

Dear Mrs. Jeffers:

This letter is in response to your Freedom of Information Act (FOIA) request of November 26, 2013. Your FOIA requests: All documents and communications within the Environmental Protection Agency (EPA) and between EPA and other government agencies that relate to EPA's decision, pursuant to Section 304(a)(1) of the Clean Water Act, to deny the Center's request for plastic-specific water quality criteria.

In addition to the documentation provided, the EPA reviewed a number of the sources cited in the petition submitted by the Center for Biological Diversity as part of our petition analysis in preparation for the Agency response. Since those sources were originally provided by the Center for Biological Diversity in the petition, they are not included here as part of the EPA FOIA submission.

We are providing "Final" versions of briefing documents used in the development of the Agency response, as well as a number of emails responsive to the FOIA. We are unable to provide you with the documents identified in the enclosed index because they are exempt from mandatory disclosure by virtue of the FOIA exemption at 5 U.S.C. 552(b)(5) for certain deliberative documents (i.e., intra-agency documents which would not be available by law to a party other than an agency in litigation with the agency, including documents protected by the deliberative process privilege, attorney-client communication privilege, and attorney work product privilege.)

You may appeal this final response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the RIN listed above. For quickest possible

handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

This concludes the EPA response to FOIA Request EPA-HQ-2014-001474.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Behl". The signature is fluid and cursive, with the first name "Elizabeth" written in a larger, more prominent script than the last name "Behl".

Elizabeth Behl, Director
Health and Ecological Criteria Division

Enclosures